

REMARKS

The Final Office Action mailed November 18, 2004 has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto.

A "Petition for Extension of Time" for extending the due date for responding to the Office Action by one month and a "Patent Application Fee Determination Record" are filed with this Amendment. A credit card payment form to cover the fee payment (\$120.00) for the extension and the fee payment (\$200.00) for independent claims in excess of three is filed with this Amendment. Authorization is granted to charge counsel's Deposit Account No. 01-2300, referencing **Attorney Docket No. 107314-00016**, for any additional fees necessary for entry of this Amendment.

Claims 3 and 6 have been amended, new claims 7 and 8 have been added, and claims 1, 2, 4 and 5 have been cancelled. Applicants submit that the amendments made herein are fully supported in the Specification and the drawings, as originally filed, and therefore no new matter has been introduced. Accordingly, claims 3 and 6-8 are pending in the present application and are respectfully submitted for reconsideration.

Claims 1, 2, 4 and 5 were finally rejected under 35 U.S.C. §103(a) as being unpatentable over the Tabata patent (U.S. Patent No. 6,411,326) in view of the Suzuki reference (Japanese Ref. No. 10322684). Claims 3 and 6 have been amended, new claims 7 and 8 have been added, and claims 1, 2, 4 and 5 have been cancelled. The rejections are respectfully traversed and reconsideration is requested.

In the Office Action, the Examiner indicated that each of dependent claims 3/1, 3/2, 6/4 and 6/5, objected to as being dependent upon a rejected base claim, would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Dependent claim 3 has been rewritten in independent form to include the content of independent claim 1, and claim 1 has accordingly been canceled. Dependent claim 6 has been rewritten in independent form to include the content of independent claim 4, and claim 4 has accordingly been canceled. New independent claim 7 has been added to include the content of now independent claim 3 and dependent claim 2, and claim 2 has accordingly been canceled. New independent claim 8 has been added to include the content of now independent claim 6 and dependent claim 5, and claim 5 has accordingly been canceled. It is therefore submitted that independent claims 3 and 6-8 are therefore patentable and in condition for allowance. Reconsideration is respectfully requested.

Entry of this Amendment after final rejection is submitted as proper in that it places the application in condition for allowance. Particularly, the present Amendment is submitted as not raising new issues or requiring further consideration or searching. Undersigned counsel would accordingly appreciate the Examiner telephoning counsel prior to the expiration of the six-month statutory period (i.e., May 18, 2004) to indicate the disposition of this Amendment.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicants' undersigned counsel at the telephone number, indicated below, to arrange for an interview to expedite the disposition of this application.

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NYC/147518.1

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Respectfully submitted,



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